

SMRCA Roofing Roofer

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Occupational Exposure to Crystalline Silica Enforcement Begins September 23rd

These new requirements take effect on September 23, 2017, for the construction industry, and June 23, 2018, for general industry. The MIOSHA construction rule has been designated as Part 690 (1926.1153) and the MIOSHA general industry rule is Part 590 (1910.1053). Both standards adopt the federal OSHA rules by reference.

Exposure limits for both Part 690 and Part 590 have been set at $25 \mu\text{g}/\text{m}^3$ ($0.025 \text{ mg}/\text{m}^3$) for an Action Level (AL) and $50 \mu\text{g}/\text{m}^3$ ($0.050 \text{ mg}/\text{m}^3$) for the Permissible Exposure Limit (PEL). Employers will have to implement dust control and work practices to limit workers' exposure to the new PEL. This usually means using water to keep dust from getting into the air or a ventilation system to capture dust where it is created.

Employers will also be required to limit access to high exposure areas, provide training, provide respiratory protection when dust controls are not enough to limit exposure, develop written exposure control plans, and measure exposures in some cases.

The rule also requires employers to offer medical examinations to highly exposed workers. Workers who find out they have a related illness can use that information to make employment or lifestyle decisions to protect their health.

For employees engaged in construction tasks, Table 1 in Part 690 provides specified exposure control methods when working with materials containing crystalline silica. Employers who follow Table 1 correctly are not subject to the PEL or required to measure employees' exposure to silica.



Though compliance with these new requirements may seem like a daunting task at first, OSHA and MIOSHA have developed resources to assist employers with understanding these new regulations. Employers should visit OSHA's silica rule webpage for a direct link to the standards, factsheets, and answers to frequently asked questions.



MIOSHA resources include a silica presentation that can be downloaded for training purposes or as an executive summary of the new requirements. CET has also developed a sample written exposure control plan to assist employers in the development of a dust suppression program.

Employers may also visit MIOSHA's website to download a copy of the silica standards. Employers concerned about respirable crystalline silica dust exposure to their employees are encouraged to contact MIOSHA CET Division at 517-284-7720 to request free consultative assistance. Silicosis is not curable, but it is preventable!

MIOSHA Spring 2017 Newsletter



SOUTHEASTERN MICHIGAN ROOFING CONTRACTORS ASSOCIATION

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MIRCA Annual Convention—Shanty Creek



The 2017 MIRCA Convention was held at Shanty Creek Resort in Bellaire, MI—July 20-23, 2017.

The convention started with a Welcome Reception with all of the attendees gathering to see old friends, meet new friends and networking. Followed by a hospitality suite, hosted by Garwood, Buda, Knight and Associates, Inc.—Thank you Mark Garwood and Kayo Clifford!!

Friday's educational session "Silica—What You Need To Know" presented by Harry Dietz, NRCA Director of Enterprise Risk Management. He explained silica, the health concerns and regulations, along with information on Electronic Reporting Requirements, Crane Operator Certification, Fall Protection and Heat Related Illnesses. Friday evening was a fun filled Euchre Tournament! Saturday's Evening Reception was perfect—from the food, the weather, amazing sunsets to the Royce and Jenn band rocking the dance floor! We had two unexpected performers join Royce and Jenn—Alexa Kenny (daughter of Mike and Christina Kenny, National Roofing & Sheet Metal Co., Inc.) and Summer LeBrun (daughter of David and Darcee LeBrun, Thomas Brown & Son Roofing Company)

The kids participated in the Kid's Program—so much fun! Crafts, yard games, scavenger hunts, movie and so much more!!!

Thank you to all of the attendees and sponsors that help make this event a success every year! We appreciate your support!

If you haven't attended a convention, come join us next year!



NRCA 10 @ 10

Congress and the administration getting closer on tax reform.

The White House and Republican leaders jointly released a framework of principles for tax reform legislation they hope to draft this fall. Key takeaways for NRCA members include lower rates for all types of businesses, permanence and “unprecedented” capital expensing. House Republicans agreed to take the controversial border adjustment tax (BAT) contained in their blueprint plan off the table after strong opposition from retailers and other business groups. This is notable given the BAT would have raised \$1 trillion in revenue for the government over a decade, and its removal from the plan makes it more difficult to provide lower rates and full expensing of capital investments (including commercial roofs) in any tax plan that avoids increasing budget deficits. The White House has outlined an aggressive timetable for passage, calling for committee action in September and a signing ceremony with President Trump by December. Republican leaders seem determined to pass tax reform under the reconciliation process, which only requires a simple majority vote in the Senate. However, reconciliation can only be used if a budget resolution is passed, and that outcome is uncertain as House conservatives oppose the current budget plan. NRCA continues working with key lawmakers to advocate for pro-growth tax policy that is beneficial to the roofing industry.

Workforce development legislation now before the Senate. After being approved by the House in June, the fate of the Strengthening Career and Technical Education for the 21st Century Act (H.R. 2353) will now be determined by the U.S. Senate. NRCA supports this legislation to address future workforce development needs by improving career and technical education (CTE) programs operated at the state and local level under the federal Perkins Act. H.R. 2353 includes reforms designed to make CTE programs more responsive to employers’ workforce development needs, thus providing new opportunities for NRCA members to address these needs in the future. NRCA is working to develop bipartisan support for the legislation in the Senate, where partisan difference remain. NRCA urges members to contact their senators in support of H.R. 2353 by visiting the NRCA Grassroots Advocacy Network: <https://roofingadvocacy.nrca.net/actionalerts>.

Department of Labor (DOL) moving forward with expansion of apprenticeship programs. As the first step in implementing President Trump’s Executive Order to expand and streamline registered apprenticeship programs, DOL announced it is establishing a Task Force on Apprenticeship Expansion. The task force will advise Secretary of Labor Alexander Acosta and make policy recommendations as DOL develops a proposal to implement the president’s Executive Order, which proposes expanding apprenticeships through the development of third parties such as trade and industry groups, nonprofit organizations, unions and joint labor-management organizations. NRCA CEO Reid Ribble has applied to be a member of the task force because he believes this initiative, if structured properly, has great potential to help NRCA members address their future workforce development needs. New apprenticeship options that are more streamlined and flexible in

meeting employer needs could help facilitate implementation of NRCA’s Pro Certification Series worker training program, which is currently being developed. Additionally, Ribble participated in a recent meeting in Washington, D.C., with other construction industry leaders to discuss strategies to ensure DOL’s regulation to expand and streamline apprenticeships meets the construction industry’s future workforce needs.

OSHA establishes online reporting mechanism for possible submission of reports. On Aug. 1, OSHA announced it is accepting injury and illness reports with its new Injury Tracking Application (ITA) to fulfill reporting requirements under the Improve Tracking of Workplace Injuries and Illnesses regulation issued in May 2016. The online ITA form allows employers to electronically submit injury and illness reports, as required under the regulation. OSHA has suspended the original deadline of July 1 and proposed to delay the deadline for submission to Dec. 1, but it has not yet finalized that date. In July, NRCA and other members of the Coalition on Workplace Safety submitted comments to OSHA urging the agency to delay the reporting requirement indefinitely given that the agency is undertaking a comprehensive review of the entire regulation. The comments outlined numerous potential problems that employers may experience once they electronically submit the reports. Additionally, litigation challenging the regulation is still pending, and OSHA has been instructed by the courts to report back on its review before the cases will proceed. Thus, it remains uncertain when or if the new electronic submission requirements will go into effect. NRCA opposed the regulation due to member concerns about potential misuse of information made public and testified before Congress regarding this regulation in 2016.

Department of Labor (DOL) seeks public input on overtime regulation. DOL published a request for information (RFI) for employers and stakeholders regarding overtime exemptions under the Fair Labor Standards Act to help the agency draft a new overtime rule. Labor Secretary Acosta has indicated an update to the 2004 rule may be warranted but have states he believes the \$913 per week (\$47,476 per year) threshold the Obama administration’s rule called for was too high (the Obama rule is currently suspended due to a nationwide court injunction, but DOL is seeking to revise the regulation). Acosta has speculated an inflation adjusted threshold would be about \$33,000 per year. The RFI includes 11 questions ranging from what methodology to employ in setting the salary threshold to whether there should be changes to the duties test. It also requests feedback on whether there should be multiple salary levels accounting for geographic location or employer size and whether there should be differing salary levels for different exemptions. The comment period is open until the end of September, and we anticipate completion of a new rule could be a lengthy process. NRCA is participating with other business stakeholders in drafting comments to ensure the members’ interests are heard.

NRCA 10 @ 10—Continued

House Republicans moving forward on Legal Workforce Act. NRCA is aware Republicans on the House Judiciary Committee are planning to take up legislation that would mandate virtually all employers use the federal E-Verify program to electronically verify the employment status of new hires. New legislation has not yet been released, but the bill will likely be similar to the Legal Workforce Act, which was approved by the committee in 2015 but did not advance to the House floor due to insufficient political support. The agriculture industry has long opposed mandatory E-Verify unless it is coupled with a guest worker visa program that the industry has been working for in Congress for more than 20 years. Recent reports indicate House Judiciary Chairman Bob Goodlatte (R-VA) has reached a deal with agricultural groups to move a package that includes mandatory E-Verify for all businesses, phased in during a two- or three-year period, along with a new visa program limited to the agriculture industry. NRCA, as a member of the Essential Worker Immigration Coalition, has worked with Goodlatte and other House members to address roofing industry concerns with the Legal Workforce Act in the past years and looks forward to reviewing the new legislation.

The Department of Homeland Security (DHS) begins issuing more H-2B visas for 2017. After announcing in late June it would issue additional visas under the H-2B seasonal guest worker program for 2017, DHS issued a regulation that grants 15,000 such visas and began processing applications from businesses desperate for workers. DHS's action is the result of NRCA and allied groups urging Congress to provide new authority to the agency to issue additional H-2B visas beyond the annual statutory cap of 66,000 visas if DHS determines there is an economic need. However, DHS indicated that visas would only be issued to businesses that can demonstrate they will experience "irreparable harm," a new term that is not well defined and may be difficult for some employers to meet. Moreover, it is unclear whether the additional visas will be processed in time to provide relief to seasonal businesses dependent on H-2B workers.

President Trump endorses bill to reduce legal immigration. At a White House press conference, President Trump endorsed legislation that would slash legal immigration by approximately 50 percent. The Reforming American Immigration for Strong Employment (RAISE) Act, introduced by Sens. Tom Cotton (R-Ark.) and David Perdue (R-Ga.), would drastically reduce the number of green cards and transition current immigration policy to more of a "merit-based" system. The legislation marks a major shift in U.S. immigration policy, which during the past half century has generally allowed a growing number of immigrants to enter the U.S. to work or join family members already living here legally. Under the bill, the new system would award points to green card applicants based on such factors as English ability, education levels and high-level job skills. The president and

Sens. Cotton and Perdue believe a reduction in legal immigration (coupled with the Trump administration's efforts to reduce illegal immigration) is necessary to protect American workers from job losses and stagnant wage growth. The bill faces bipartisan opposition in Congress and thus has no chance of becoming law, but it will influence any debate about immigration reform that may take place in Congress.

Congress seeks to correct the Expanded Joint Employer Standard. A bipartisan bill spearheaded by Subcommittee on Workforce Protections Chairman Rep. Bradley Byrne (R-Ala.) was introduced in the House to address the far-reaching "joint employer" standard promulgated by the National Labor Relations Board (NLRB) under the Obama administration in 2015. The "Save Local Business Act" has 43 co-sponsors and would codify rules defining joint employers as having direct, actual and immediate supervision in relation to an employee instead of the indirect and ambiguous definition in the revised standard. The House Committee on Education and the Workforce held a hearing on this issue and heard from small business owners regarding the need for relief from the revised standard's negative impact. The legislation has significant bipartisan support in the House, as evidenced by the 2018 spending bill passed out of the Committee on Appropriations that includes a provision prohibiting NLRB from enforcing the revised joint employer standard.

Business groups urge the Senate to expedite political appointments. NRCA joined numerous business associations in urging the Senate to move forward with timely confirmation of qualified pending nominees to executive branch positions within the Trump administration. The letter was sent in response to the historically slow pace of confirmations, which is depriving agencies across the government of critical leadership and, in the case of independent agencies, the quorum necessary to conduct critical business. The letter noted the extremely slow pace of confirmations is resulting in a breakdown in the efficient and effective functioning of government and ultimately acts as a drag on the economy. It went on to urge an end to the new practice in the Senate of subjecting even noncontroversial nominees to the time-consuming cloture process, which is creating unprecedented delays in an already prolonged process. The Senate responded to some degree and on Aug. 3 confirmed 73 nominees to many administration positions.



NRCA's One Voice Initiative

In February, NRCA launched its One Voice Initiative to unite the roofing industry and speak with one voice about matters critical to the roofing industry's continued success. NRCA believes the roofing industry has matured to the point where the views and concerns of contractors, manufacturers, distributors and others in the industry align on the vast majority of issues they face. There is a clear consensus to move the industry forward together, and NRCA is reaching out to manufacturers, distributors, architects, engineers and consultants with the goal of having them become fully engaged with NRCA, as partners.

To ensure more industry sectors are given an opportunity to participate fully, NRCA's board of directors amended the association's bylaws at its Feb. 27, 2017, meeting in Las Vegas to grant a minority position on NRCA's board of directors for manufacturers, distributors, architects, engineers and consultants who desire greater partnerships with the organization. NRCA also is committed to involving more people from the supplier and design communities in NRCA committee and task force work.

NRCA believes there are several reasons to launch its One Voice initiative now. For one, the roofing industry faces compelling workforce challenges that require collective efforts to address them effectively. At the top of that list is the need for qualified labor. According to the Bureau of Labor Statistics, the roofing industry lost close to 30 percent of its workforce during the recession, and though the economy has rebounded in recent years, a significant portion of those lost workers have not returned. NRCA members are struggling to attract millennial workers to replace a workforce that is steadily aging.

"If the roofing industry is going to be successful in attracting field workers, technicians, plant workers, warehouse workers, foremen, estimators and managers, it will do it best through a concerted and coordinated effort," says NRCA CEO Reid Ribble. "NRCA is developing a structured, credentialed national worker training program for roofing workers. NRCA's ProCertification Series will help attract and keep workers, improve and increase their productivity, provide a demonstrated career path through certification and enhance professionalism of the industry. It also allows our industry to demonstrate a commitment to training as we compete with other trade groups."



Another reason for launching NRCA's One Voice initiative is there is a unique window of opportunity to effect meaningful change in Washington, D.C. Although representatives from various industry segments undoubtedly will disagree with some of the policies proposed by the new administration, there are many all industry parties will agree on—and we now have the opportunity to become active participants as those policies evolve.

Some of these policies already have been identified, and work has begun on them. They include tax policy, regulatory reform and immigration policy. The roofing industry needs to be at the table as these policies are debated and new laws and rules are developed.

"One of the greatest lessons I learned as a member of Congress is that the most effective lobbyists are those that represent an industry with a unified position," says Ribble. "Nothing is worse for a Congressman than hearing opposing opinions from representatives from the same industry, and nothing is more compelling than knowing your vote will have unanimous support from all segments of an industry. I believe our chances for success improve when we foster relationships in our industry that are more inclusive and collaborative."

To achieve success with the government relations efforts, NRCA is repositioning its Washington, D.C., office as the roofing industry's Washington, D.C. office. NRCA plans to add three additional full-time staff members there to increase the roofing industry's footprint, move its agenda forward and take steps that will ensure the involvement of all interested parties in the industry.

Finally, there are a host of additional activities where the industry will benefit from NRCA's One Voice initiative. For example, the industry needs better collaboration and representation for building code issues, and it needs continued discussion and representation for insurance concerns. And the industry needs to work together to increase professionalism throughout all aspects of the roofing profession, which will, in turn, help improve the industry's image, enhancing every industry segment.

"We think this is exactly the right time in the evolution of the roofing industry to unite and make this important move," Ribble explains. "And we know it only can be accomplished with significant contributions from industry leaders. Through NRCA's One Voice initiative, we have the opportunity to develop a transformational approach to addressing the roofing industry's issues and concerns now and in the future."

Industry Partners

NRCA wishes to thank the following member partners for their vision and commitment to its One Voice Initiative to unite the roofing industry and

NRCA One Voice—Continued

speak with one voice about matters critical to the roofing industry's continued success:

- FiberTite Roofing Systems, Wooster, Ohio
- ABC Supply Co. Inc., Beloit, WI
- SRS Distribution Inc., McKinney, Texas
- Trent Cotney, Trent Cotney, P.A., Jacksonville, FL
- Sika/Sarnafi Inc., Canton, MA

For more information about NRCA and its One Voice initiative, please contact Alison LaValley, NRCA's vice president of strategic partnerships and development at alavalley@nrca.net, or Carl Good, NRCA's vice president of membership, marketing and business development at cgood@nrca.net.

Education Resources



CAM Online
www.cam-online.com



NRCA
www.nrca.net



MIOSHA

Crane Operator Certification Extension— Notice of Proposed Rulemaking

OSHA is proposing to delay the enforcement date for crane operator certification for one year from November 10, 2017, to November 10, 2018 to address the stakeholder concerns. OSHA is accepting public comments until September 29, 2017.

<https://www.federalregister.gov/documents/2017/08/30/2017-18441/cranes-and-derricks-in-construction-operator-certification-extension>

Happy Anniversary



Mary Jo and Ken Dietrich
T.F. Beck Company
September 26

Anthony and Kristy Schena
Schena Roofing & Sheet Metal Co., Inc.
October 12

Chuck and Dee Rosa
Retired
October 16

Steve and Lisa Yontz
ABC Supply
October 17

JATC Training Center Happenings

Journeyworkers Skill Advancement Training Classes are available at no cost to all Detroit 149 members.

Dues must be current in order to enter the Training Center.

If you have any questions, contact the Training Center at 248-543-3847 or BGregg@DetroitRoofers.org to make arrangements.



Check Your Records

The **Southeastern Michigan Roofing Contractors Association (SMRCA)**, **Roofing Industry Promotion Fund (RIPF)** and **Michigan Roofing Contractors Association (MiRCA)** office has moved, please update your records!

8155 Annsbury, Suite 104, Shelby Township, MI 48316

Email, phone and fax numbers remain the same.

Birthday Wishes



Bret Pienkosz
Siplast Roofing & Waterproofing Systems
August 5

Ed Karpinski
Retired
August 8

Jason Emery
Schreiber Corporation
September 4

Heather Hadley
SMRCA
September 21

Anthony Schena
Schena Roofing & Sheet Metal Co., Inc.
October 7

Stacy Foley
Crane Roofing, Inc.
October 20

George Schena
Retired
November 13

Jim Coppens
Mid Michigan Roofing
November 15

Brian Moore
Schreiber Corporation
November 29

Deepest Sympathy

David Yontz
ABC Supply
Son of Steve and Lisa Yontz



Alex Bodnariuk
Roofers Union Local 149
Former Business Manager and International Vice President

In our thoughts and prayers, wishing peace to bring comfort, courage to face the days ahead and loving memories to forever hold in your heart.

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- S**AFETY A safe jobsite is assured because SMRCA crews complete the M.U.S.T. Safety Training and Drug Testing.
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